

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of May 28, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 50-0951.

Claim Rejections - 35 U.S.C. §§ 102 & 103

Claims 1-5, 8, 13, 15-20, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,642,346 to Janes, *et al.* (hereinafter Janes) in view of U.S. Patent 5,491,795 to Beaudet, *et al.* (hereinafter Beaudet) and U.S. Published Patent Application 2003/0046289 to Balasubramanian (hereinafter Balasubramanian). Claims 7, 9-11, 14, 22, 24-26, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Janes in view of Beaudet and Balasubramanian, and further in view of U.S. Published Patent Application 2004/0119743 to Xu (hereinafter Xu).

Although Applicants respectfully disagree with the rejections, Applicants have amended Claim 1. Applicants have cancelled Claims 13-28. However, Applicants are not conceding that the remaining claims as originally formulated or the cancelled claims fail to present patentable subject. The amendments and cancellation are solely for the purpose of expediting prosecution. Accordingly, neither the amendments nor cancellations should be interpreted as the surrender of any subject matter, and Applicants expressly reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

Certain Aspects Of The Invention

It may be useful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by Claim 1, is an electronic commerce method.

The method can include determining one or more e-commerce partners. After determining one or more e-commerce partners, a further step can be performed with respect to each e-commerce partner so as to determine whether one or more of the e-commerce partners is an active partner based on at least one predetermined criteria. (See, e.g., Specification, paragraph [0023], lines 4-7 ; see also paragraph [0039], lines 2-4.)

More particularly, the determination of whether the e-commerce partner is an active partner can be made on the basis of one or more of the following steps, each based on a corresponding criterion: detecting whether a transaction has occurred with the e-commerce partner within a designated time period; determining whether transactions involving the e-commerce partner exceed a designated valuation threshold; determining whether a transaction involving the e-commerce partner exceeds a designated data size; and determining whether the e-commerce partner has a preference level above a designated preference level. (See, e.g., Specification, paragraph [0024], lines 1-13.) Moreover, the criteria for determining whether an e-commerce partner is an active partner can be adjustable. (See, e.g., Specification, paragraph [0010], lines 12-14.)

The method also can include presenting a partner identifier as an expandable partner node within a commerce graphical user interface for the e-commerce partner if it is determined that the e-commerce partner is an active partner; and when the partner node is expanded, presenting at least one transaction identifier as a child node of the expanded partner node, wherein each transaction identifier represents an electronic commerce transaction between a user of the commerce graphical user interface and the e-commerce partner. (See, e.g., Specification, paragraph [0041], lines 1-7.)

The method further can include categorizing a node associated with at least one of a transmission and an e-commerce partner; visually differentiating the node from other nodes at the same node level and at a different node level based upon a category of the node; and assigning responsible personnel to transactions based on predetermined rules. (See, e.g., Specification, paragraphs [0020] and [0025]; see also original Claim 12).

The Claims Define Over The Cited References

One aspect of the present invention is that only active e-commerce partners and their associated transactional information is displayed. This concept can be used to prevent clutter. That is, it can be beneficial that criteria are established so that electronic transaction administrators can focus upon more particularly on important transactions and e-commerce partners. Criteria used to determine active partnership can be configured by an administrator, thereby permitting filtering of e-commerce partners according to the administrator's needs. See Specification, paragraph [0039]. Whether an e-commerce partner is an active partner can be determined based on a number of predetermined and adjustable criteria. For example, all e-commerce partners that have performed transactions within the last 72 hours can be considered as active partners. In another example, only those e-commerce partners with currently pending transactions can be considered active partners. In a particular embodiment, a valuation threshold for a transaction can be established, where only e-commerce partners engaged in transactions exceeding the threshold can be active partners. The size (e.g., in bytes) of a transaction can also be used as a threshold that must be met or exceeded before the associated e-commerce partner can be categorized as an active partner. In still another embodiment, an importance threshold can be established for an e-commerce partner and used as a threshold to determine active status. The importance of an e-partner can be established based on such criteria as credit history, transaction history, status in a loyalty program,

and the like. See Specification, paragraph [0024].

It was asserted in the last paragraph on page 7 of the Office Action that Janes teaches the display of active partners to be those customers with orders (col. 8, lines 19-21), which is the step of detecting whether a transaction has occurred with the e-commerce partner within a designated time period. It was further asserted that orders must have occurred within a designated time period to have been made.

As already discussed in the previous responses, identifying whether or not a customer has an order provides no indication as to when the order was placed. Therefore, Janes displays all customers with orders regardless when the orders were placed, whereas in the present invention only partners who have had transactions within certain time period (such as 72 hours) are displayed. It is noted that orders do not have to have occurred within a designated time period to have been made because orders occurred before the designated time period (such as more than 72 hours ago) are also considered to have been made.

It is described in paragraph [0026] of the Specification of the instant application that only those e-commerce partners with currently pending transactions can be considered active partners. However, it is noted that Janes does not disclose that customers with pending orders are displayed. It is also noted that the specification can be used to understand claim limitations, but not to replace claim limitations. Examination should be based on what is recited in the claims, not what is described in the specification, because it is never required that the claims cover all embodiments described in the specification.

Applicants believe that Janes also does not disclose that the criteria for determining whether an e-commerce partner is an active partner are adjustable, as recited in Claim 1 of the instant application.

The other cited references do not make up for the deficiencies of Janes as discussed above.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claim 1, as amended. Applicants therefore respectfully submit that amended Claims 1 defines over the prior art. Furthermore, as each of the remaining claims depends from Claim 1 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. §§ 102 & 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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